

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DARRELL GUNN, 03-B-2443,

Plaintiff,

-against-

20 **CIVIL** 2004 (PMH)

JUDGMENT

ANTHONY ANNUCCI, Acting
Commissioner, et al.,

Defendants.

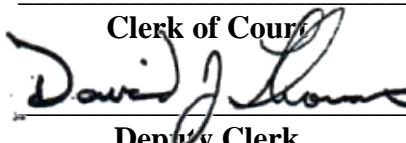
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated April 29, 2021, For the foregoing reasons, Defendants' motion to dismiss is GRANTED. While "[d]istrict courts should frequently provide leave to amend before dismissing a *pro se* complaint . . . leave to amend is not necessary when it would be futile." *Reed v. Friedman Mgmt. Corp.*, 541 F. App'x 40, 41 (2d Cir. 2013) (citing *Cuoco v. Moritsugu*, 222 F.3d 99, 112 (2d Cir. 2000)). In this case, the Complaint is dismissed with prejudice because any amendment would be futile; accordingly, this case is closed.

Dated: New York, New York

April 29, 2021

RUBY J. KRAJICK

BY: 
Clerk of Court
Deputy Clerk